

RECEIVED
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUN 09 2004

OFFICIAL

Applicant: Donald C. Mann (as corrected)

Assignee: UltraCard, Inc.

Title: Data Storage Device, Apparatus and Method for Using Same JUN 15 2004

Serial No.: 09/693,271 File Date: 10/20/2000

Examiner: Not Yet Assigned Art Unit: 2185

Docket No.: ULT-001-1

OFFICE OF PETITIONS

Date: June 9, 2004

Mail Stop Petition (Attention Examiner Cliff Congo)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND RESUBMISSION OF PETITION FOR REVIVAL OF AN APPLICATION

FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Dear Sir:

A petition to revive this abandoned patent application was mailed to the Office of Petitions on January 21, 2004. The undersigned spoke to Examiner Congo by telephone on May 25, 2004, and Examiner Congo stated that a decision on the petition has not been issued, but that the fee associated with the petition has been charged to deposit account 50-0574 (a copy of the statement showing the charges is enclosed. Accordingly, it is assumed that the petition for the present case is misplaced at the Office.

On June 3, 2004, the Petition and all documents submitted with the Petition were resubmitted to the Office. On June 9, 2004, Examiner Congo told the undersigned that he had received an Information Disclosure Statement and a box of references that

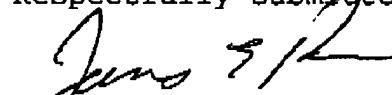
had been submitted with the resubmitted papers, but that the Petition itself was not in the box.

Accordingly, enclosed herewith is a copy of all documents submitted with the original Petition, including a stamped Return Receipt Postcard showing that the Petition was received at the Office on January 23, 2004, but excluding the box of references.

Please issue a decision on the petition as soon as possible. Please do not re-charge any fees to deposit account 50-0574 that already have been charged with respect to this petition. If, however, any appropriate fees were not previously charged, or constitute further charges not previously assessed, then such additional fees may be charged to deposit account 50-0574.

If there are any questions, please telephone the undersigned at 408 451-5906 to expedite prosecution of this case.

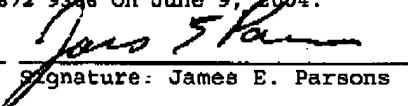
Respectfully submitted,


James E. Parsons
Attorney for Applicant
Reg. No. 34,691

Customer No.: 022888

I hereby certify that this correspondence is being sent by facsimile to 703 872 9306 on June 9, 2004.

6/9/04


Signature: James E. Parsons

Practitioner's Docket No. ULT-001-1

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Donald C. Mann et al. (as corrected) Group No.: 2185

Serial No.: 09/693,271 Filed: 10/20/2000

For: Data Storage Device, Apparatus, and Method for Using Same

Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF MISSING PARTS

- I. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed on October 14, 2000. A copy of the Notice to File Missing Parts is enclosed.

CORRECTION OF INVENTORSHIP PURSUANT TO 37 CFR 1.48(f)(1) AND SUBMISSION OF INVENTOR DECLARATION OR OATH

- II. The application as filed included an unsigned inventor declaration that listed four inventors. Two of the four listed inventors, William Zeissner and Robert L. Parkinson, were incorrectly named. The correct inventors are Donald C. Mann and Bert D. Cook. Enclosed is the original declaration or oath for this application, as signed by Donald C. Mann and Bert D. Cook.

ENTITY STATUS

- III. Applicant is a large / small entity.

REQUEST FOR CORRECTED FILING RECEIPT

- IV. Attached is a copy of the official filing receipt for which issuance of a corrected filing receipt is respectfully requested. Inventors William Zeissner and Robert L. Parkinson were incorrectly named and should be deleted.

TOTAL FEE DUE

- V. The total fees due are: \$65.00. Please charge Deposit Account No. 50-0574 for these fees and any additional fees that may be due by this paper.

Customer No. 022888



James E. Parsons, Reg. No. 34,691
 Telephone (408) 451-5906

I hereby certify that this correspondence is being deposited with the United States Postal Service as FIRST CLASS MAIL in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Date: January 21, 2004 Signature: Carrie Reddick
 Name: Carrie Reddick

UNITED STATES PATENT AND TRADEMARK OFFICE**COPY**

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/693,271	10/20/2000	William Zeissner	5580 413436/100

Daniel J Meaney Jr Esq
 PO Box 22307
 Santa Barbara, CA 93121

FORMALITIES LETTER

[REDACTED]
 "OC000000005818384"

Date Mailed: 12/14/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

+14 → 6/14/00

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.18(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*

 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
TELEPHONE: (202) 707-3000

APPLICATION NUMBER	FILING DATE	GRP/ART UNIT	FIL FEE RECD	ATTY/DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/693,271	10/20/2000	2185	1055	5580 413436/100	23	80	7

Daniel J Meaney Jr Esq
PO Box 22307
Santa Barbara, CA 93121

FILING RECEIPT

[REDACTED]
"OC000000005619343"

Date Mailed: 12/14/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

William Zeinor, Fountain Valley, CA ;
Robert L. Parkison, Placentia, CA ;
Donald C. Mann, Thousand Oaks, CA ;
Bert D. Cook JR., Morgan Hill, CA ;

Continuing Data as Claimed by Applicant

THIS APPLN CLAIMS BENEFIT OF 60/161,302 10/23/1999

Foreign Applications

If Required, Foreign Filing License Granted 12/13/2000

**** SMALL ENTITY ****

Title

Data storage device, apparatus and method for using same

Preliminary Class

711

Form PTO-1590
(Rev. 10/02)
OMB No. 0651-0027 (exp. 6/30/2005)

RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

PATENTS ONLY

Atty. Dkt. No.: ULT-001-1

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

MANN, Donald C.; and COOK, Jr., Bert D.

Additional name(s) of conveying party(ies) attached?

Yes No

3. Nature of conveyance:

Assignment
 Security Agreement
 Other

Merger
 Change of Name

2. Name and address of receiving party(ies):

Name: **ULTRACARD, INC.**

Street Address: **980 University Avenue**

City/State/Zip: **Los Gatos, CA 95032**

Additional name(s) & address(es) attached?

Yes No

Execution Date: **May 22, 2001 & May 29, 2001**

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s): **09/693,271**

B. Patent No.(s):

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name:

**James E. Parsons, Esq.
Bever, Hoffman & Harms, LLP
2099 Gateway Place, Suite 320
San Jose, CA 95110-1017**

6. Total number of applications and patents involved: [1]

7. Total fee (37 CFR 3.41) **\$40.00**

Enclosed
 Authorized to be charged to deposit account

8. Deposit account number: **50-0574**
(Attorney Docket No.: **ULT-001-1**)

DO NOT USE THIS SPACE

9. Signature.

James E. Parsons

Name of Person Signing

James E. Parsons
Signature

January 21, 2004

Date

Total number of pages including cover sheet, attachments, and document: **[5]**

Mail documents to be recorded with required cover sheet information to:

Mail Stop Assignment Recordation Services
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

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051001 5580 413436/100

ASSIGNMENT
(Joint Inventors)

Whereas, we, DONALD C. MANN, BERT D. COOK, JR., WILLIAM ZEISSNER and ROBERT L. PARKISON, all citizens of the United States of America, and residents of Thousand Oaks, California, Morgan Hill, California, Fountain Valley, California and Placentia, California, respectively, and whose addresses appear below (hereinafter collectively referred to as "ASSIGNORS"), have invented certain new and useful improvements in DATA STORAGE DEVICE, APPARATUS AND METHOD FOR USING SAME (hereinafter referred to as the "INVENTION") for which an application for United States Letters Patent was

executed on even date herewith

executed on:

I filed on: October 20, 2000 Serial No.: 09/693,271

established by PCT International Patent Application No.: Filed:

WHEREAS, ULTRACARD, INC., a California corporation, whose post office address is 980 University Avenue, Los Gatos, California 95032 (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the entire right, title and interest in and to the same in the United States and throughout the world;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, we, ASSIGNORS, by these presents do sell, assign and transfer until said ASSIGNEE, the entire right, title and interest in and to the said INVENTION and application throughout the United States of America, including any and all United States Letters Patent granted on any division, continuation, continuation-in-part and reissue of said application; and the entire right, title and interest in and to the said INVENTION throughout the world, including the right to apply for patents and inventor certificates in respect thereof and to claim priority pursuant to rights accorded ASSIGNORS under the terms of the Paris International Convention and all other available international conventions and treaties; and the entire right, title and interest in and to any and all patents, patents of addition, utility models, patents of importation, revalidation patents and inventor certificates which may be granted throughout the world in respect of said INVENTION.

ALSO, ASSIGNORS hereby agree to execute any documents that legally may be required in connection with the filing, prosecution and maintenance of said application or any other patent application(s) or inventor certificate(s) in the United States and in foreign countries for said INVENTION, including additional documents that may be required to affirm the rights of ASSIGNEE in and to said INVENTION, all without further consideration. ASSIGNORS also agree, without further

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consideration and at ASSIGNEE'S expense, to identify and communicate to ASSIGNEE at ASSIGNEE'S request documents and information concerning the INVENTION that are within ASSIGNORS' possession or control, and to provide further assurances and testimony on behalf of ASSIGNEE that lawfully may be required of ASSIGNORS in respect of the prosecution, maintenance and defense of any patent application or patent encompassed within the terms of this instrument. ASSIGNORS' obligations under this instrument shall extend to ASSIGNORS' heirs, executors, administrators and other legal representatives.

ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent referred to above to ASSIGNEE, as the ASSIGNEE of the entire right, title and interest in and to the same, for ASSIGNEE'S sole use and behoof; and for the use and behoof of ASSIGNEE'S legal representatives and successors, to the full end of the term for which such Letters Patent may be granted, as fully and entirely as the same would have been held by ASSIGNORS had this assignment and sale not been made.

IN WITNESS WHEREOF, we have hereunto signed our names on the date and year set forth below.

Assignors

Place of Signing: Campbell, California

Full Name of Assignor: Donald C. Mann

Assignor's Signature: D. C. Mann Date: May 22, 2001

Residence Address: 750 Camino Las Conchas
Thousand Oaks, California 91360

Place of Signing: Campbell, California

Full Name of Assignor: Bart D. Cook, Jr.

Assignor's Signature: Bart D. Cook, Jr. Date: May 24, 2001

Residence Address: 1125 Easy Street
Morgan Hill, California 95037

Place of Signing: Fountain Valley, California

Full Name of Assignor: William Zeissner

Assignor's Signature: W. Zeissner Date: May 1, 2001

Residence Address: 8728 Frazer River Circle
Fountain Valley, California 92708

Place of Signing: Placentia, California

Full Name of Assignor: Robert L. Parkison

Assignor's Signature: R. L. Parkison Date: May 1, 2001

Residence Address: 507 Shoshoni Avenue
Placentia, California 92870

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STATE OF CALIFORNIA)
)
COUNTY OF SAN JOSE) ss.

On this 22 day of May, 2001,
before me, Kimberly Fahrenkrog, a
Notary Public in and for said County
and State, personally appeared Donald
C. Mann and Bert D. Cook, Jr.
personally known to me (or proved to
me on the basis of satisfactory
evidence) to be the persons whose
names are subscribed to the within
instrument and acknowledged to me that
they executed the same in their
authorized capacity, and that by their
signature on the instrument the
person, or the entity upon behalf of
which the person acted, executed the
instrument.

WITNESS my hand and official seal.

Signature

Kimberly Fahrenkrog

FOR NOTARY SEAL OR STAMP



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051001 5580 413436/100

STATE OF CALIFORNIA } ss.
COUNTY OF ORANGE }

On this ____ day of May, 2001,
before me, _____, a
Notary Public in and for said County
and State, personally appeared William
Zeissner and Robert L. Parkinson,
personally known to me (or proved to
me on the basis of satisfactory
evidence) to be the persons whose
names are subscribed to the within
instrument and acknowledged to me that
they executed the same in their
authorized capacity, and that by their
signature on the instrument the
person, or the entity upon behalf of
which the person acted, executed the
instrument.

WITNESS my hand and official seal.

Signature

FOR NOTARY SEAL OR STAMP

263 5580assg

Supplemental Application Data Sheet

Application Information

Application Number:: 09693271
Filing Date:: 10/20/00
Application Type:: Regular
Subject Matter:: Utility
CD-ROM or CD-R? None
Title:: Data Storage Device, Apparatus And Method For Using Same
Attorney Docket Number:: ULT-001-1
Request for Early Publication?:: No
Request for Non-Publication?:: No
Suggested Drawing Figure:: 38
Total Drawing Sheets:: 23
Small Entity:: Yes
Petition Included?:: Yes
Secrecy Order in Parent Appl.?:: No

Applicant Information

Applicant Authority type:: Inventor
Primary Citizenship Country:: US
Status:: Full Capacity
Given Name:: Donald
Middle Name:: C.
Family Name:: Mann
City of Residence:: Thousand Oaks
State or Province of Residence:: CA
Country of Residence:: US
Street of mailing address:: 750 Camino Las Conchas
Country of mailing address:: US
Postal or Zip Code of mailing address:: 91360

Applicant Information

Applicant Authority type:: Inventor
Primary Citizenship Country:: US
Status:: Full Capacity

Given Name:: Bert
Middle Name:: C.
Family Name:: Cook
Name Suffix:: Jr.
City of Residence:: Morgan Hill
State or Province of Residence:: CA
Country of Residence:: US
Street of mailing address:: 1125 Easy Street
Country of mailing address:: US
Postal or Zip Code of mailing address:: 95037

Correspondence Information

Correspondence Customer Number:: 022888
Phone number:: 408-451-5908
Fax number:: 408-451-5908
E-Mail address:: jparsons@beverlaw.com

Representative Information

Representative Customer Number:: 022888

Domestic Priority Information

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This application	An application claiming the benefit under 35 USC 119(e)	60161302	10/23/99

Assignee Information

Assignee Name:: ULTRACARD, INC.
Street of mailing address::
City of mailing address:: 980 University Avenue
State or Province of mailing address:: Los Gatos
Postal or Zip Code of mailing address:: CA
Country of mailing address:: US
Address:: 95032



**United States
Patent and
Trademark Office**

U.S. PATENT AND
TRADEMARK OFFICE
DEPARTMENT OF COMMERCE
Washington, D.C. 20591-0001
Telephone: (202) 707-7600
Facsimile: (202) 707-7600
Internet: www.uspto.gov

Deposit Account Statement

COPY

RECEIVED

JUN 15 2004

OFFICE OF PETITIONS

Requested Statement Month: January 2004

Deposit Account Number: 500574

Name: BEVER, HOFFMAN & HARMS, LLP

Attention: CARRIE REDDICK, OFFICE MANAGER

Address: 2099 GATEWAY PLACE

City: SAN JOSE

State: CA

Zip: 95110

DATE	SEQ	POSTING REF	ATTORNEY DOCKET NBR	FEES CODE	AMT	BAL
01/02	185	10099520	IDT-1704	1251	\$110.00	\$19,819.00
01/05	89	10746024	BK-00004	1001	\$770.00	\$19,049.00
01/05	90	10746024	BK-00004	1202	\$360.00	\$18,689.00
01/06	31	10746772	HER-001	2001	\$385.00	\$18,304.00
01/06	32	10746772	HER-001	2201	\$86.00	\$18,218.00
01/06	33	10746772	HER-001	2202	\$90.00	\$18,128.00
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01/08	142	10215802	M-12054 US	1201	\$172.00	\$22,572.00
01/08	143	10215802	M-12054 US	1202	\$324.00	\$22,248.00
01/08	144	10215802	M-12054 US	1251	\$110.00	\$22,138.00
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01/09	4	09053140	SYN0101	1504	\$300.00	\$19,649.00
01/09	46	09825724	ERT-009	2251	\$55.00	\$19,594.00
01/09	47	09825724	ERT-009	2201	\$43.00	\$19,551.00
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01/09	93	10752636	D&F-037	1202	\$72.00	\$18,709.00
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01/13	1	PCT/US04/00349	KLA-006F1 WO	1601	\$300.00	\$23,409.00
01/13	2	PCT/US04/00349	KLA-006F1 WO	1704	\$1,818.00	\$21,591.00
01/13	3	PCT/US04/00349	KLA-006F1 WO	1701	\$961.00	\$20,630.00
01/13	4	PCT/US04/00349	KLA-006F1 WO	1703	\$198.00	\$20,432.00
01/13	5	PCT/US04/00349	KLA-006F1 WO	8007	\$20.00	\$20,412.00
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01/14	267	10056321	D&F-020	8001	\$27.00	\$19,420.00

01/27 19	09693271	5580 413436/	2051	\$65.00	\$34,425.00
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01/27 70	10217490	SNSY-A1998-0	1202	\$108.00	\$33,652.00
01/27 71	10217490	SNSY-A1998-0	1201	\$86.00	\$33,566.00
01/27 91	10154395	TSL-109	1501	\$1,330.00	\$32,236.00
01/27 92	10154395	TSL-109	1504	\$300.00	\$31,936.00
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01/28 39	09663659	5573-413436/	2453	\$665.00	\$30,420.00
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01/29 26	29152434	5603 413436	2453	\$665.00	\$29,575.00
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01/29 28	29152434	5603 413436	2814	\$55.00	\$29,340.00
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01/29 30	29152432	ULT-007	2814	\$55.00	\$28,620.00
01/29 31	29152432	ULT-007	1806	\$180.00	\$28,440.00
01/29 32	29152431	ULT-006	2453	\$665.00	\$27,775.00
01/29 33	29152431	ULT-006	2814	\$55.00	\$27,720.00
01/29 102	09491681	CTV-001	2402	\$185.00	\$27,555.00
01/29 105	10760024	ATH-0116	8021	\$40.00	\$27,515.00
01/29 152	PCT/US04/01860	ATH0114-1PF2	1601	\$300.00	\$27,215.00
01/29 153	PCT/US04/01860	ATH0114-1PF2	1602	\$1,000.00	\$26,215.00
01/29 154	PCT/US04/01860	ATH0114-1PF2	1701	\$961.00	\$25,254.00
01/29 155	PCT/US04/01860	ATH0114-1PF2	1703	\$386.00	\$24,869.00
01/29 156	PCT/US04/01860	ATH0114-1PF2	8007	\$80.00	\$24,809.00
01/29 257	PCT/US04/01974	UMX011-1PF1	1601	\$300.00	\$24,509.00
01/29 258	PCT/US04/01974	UMX011-1PF1	1602	\$1,000.00	\$23,509.00
01/29 259	PCT/US04/01974	UMX011-1PF1	1701	\$961.00	\$22,548.00
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01/29 359	29153431	46475.	8001	\$8.00	\$22,218.00
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01/30 7	10013396	M-11317 US	8001	\$3.00	\$20,214.00
01/30 8	10013396	M-11317 US	1460	\$130.00	\$20,084.00
01/30 28	60539426	TSL-130(PRV)	1005	\$160.00	\$19,924.00
01/30 40	09693271	ULT-001-1	8021	\$40.00	\$19,884.00
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01/30 68	5548551	CAT-02798	2552	\$1,045.00	\$17,794.00
01/30 119	10765697	INFMN-003	1001	\$770.00	\$17,024.00
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01/30 311	10361123	UMX-013	1504	\$300.00	\$14,809.00
01/30 312	10361123	UMX-013	8001	\$6.00	\$14,803.00

Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

1st Inventor: Donald C. Mann (as corrected)
 Serial No.: 09/693,271 Filed: 10/20/2000
 Assignee: UltraCard, Inc.
 Title: "Data Storage Device, Apparatus And Method For Using Same"

Dkt. No: ULT-001-1

COPY

ENCLOSED:

1 page - Transmittal Form
 1 page - Fee Transmittal (PTO/SB/17) - in duplicate
 1 page - Petition For Revival (PTO/SB/64)
 1 page - copy of executed Power of Attorney By Assignee...With Revocation of Prior Powers
 plus 3 pgs. Assignment signed by Mann & Cook, Jr.
 1 page - Response To Missing Parts dated 10/14/2000 including copy of Notice To File Missing
 Parts (1 pg) & Request to correct Filing Receipt (marked-up Filing Receipt included)
 2 pages - Supplemental Application Data Sheet
 1 page - copy of executed Declaration For Patent Application
 5 pages - Recordation Form Cover Sheet & copy of executed Assignment
 2 pages - Information Disclosure Statement plus 14 pages 1449 and 186 copies of cited references
 return receipt Postcard

JEP :cr

Date Mailed: 1/21/2004

Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

1st Inventor: Donald C. Mann (as corrected)
 Serial No.: 09/693,271 Filed: 10/20/2000
 Assignee: UltraCard, Inc.
 Title: "Data Storage Device, Apparatus And Method For Using Same"

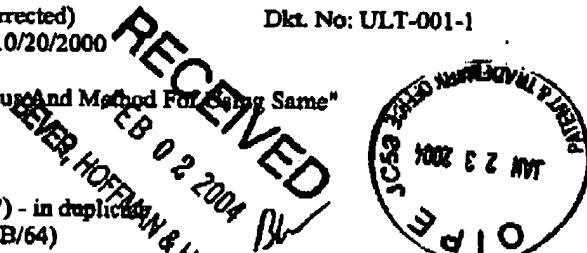
Dkt. No: ULT-001-1

ENCLOSED:

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Date Mailed: 1/21/2004



PTO/SB/21 (05-03)
Approved for use through 04/30/2003. OMB 0651-0031Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

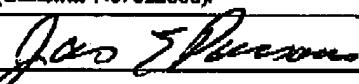
(to be used for all correspondence after initial filing)

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number 09/693,271
		Filing Date 10/20/2000
		First Named Inventor Donald C. Mann (as corrected)
		Art Unit 2185
		Examiner Name Not Yet Assigned.
Total Number of Pages in This Submission	35	Attorney Docket Number ULT-001-1

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Petition For Revival (PTO/SB/64) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Amendment / Response <input type="checkbox"/> Response To Office Action <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Deposit Account 50-0574 <input checked="" type="checkbox"/> Information Disclosure Statement including 1449 and copies of cited references <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Notice to File Missing Parts under 37 CFR 1.53(b) <input checked="" type="checkbox"/> copy of executed Declaration For Patent Application	<input checked="" type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Request To Amend Drawings <input type="checkbox"/> Redline Drawings <input checked="" type="checkbox"/> Power of Attorney, By Assignee to Exclusion of Inventor Under 37 CFR 3.71 With Revocation of Prior Powers <input type="checkbox"/> Statement Under 37 CFR 3.73(b) <input type="checkbox"/> Request for Refund <input type="checkbox"/> Extension of Time Request <input checked="" type="checkbox"/> Application Data Sheet (Supplemental)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) <i>(please identify below):</i> <div style="border: 1px solid black; padding: 2px; display: inline-block;">Return-receipt postcard</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	James E. Parsons, Reg. No. 34,691, BEVER, HOFFMAN & HARMS, LLP (Customer No. 022888).		
Signature			
Date	January 21, 2004		

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Carrie Reddick		
Signature		Date	January 21, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/17 (05-03)
Approved for use through 04/30/2003. OMV 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2004

Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 C.F.R. § 1.27

TOTAL AMOUNT OF PAYMENT (\$ 730.00)

Complete if Known

Application Number	09/693,271
Filing Date	10/20/2000
First Named Inventor	Donald C. Mann (as corrected)
Examiner Name	Not Yet Assigned
Art Unit	2185
Attorney Docket Number	ULT-001-1

METHOD OF PAYMENT (check one)

1. The Director is authorized to charge indicated fees and credit any over payments to:

Deposit Acct. No. 50-0374 (Docket No. ULT-001-1)

Deposit Acct Name Bever, Hoffman & Harms, LLP

Charge Any Additional Fee Required Under 37 CFR § 1.16 & 1.17

2. Payment Enclosed:

Check Credit Card Money Order Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 770	2001 385	Utility filing fee	65
1052 340	2002 170	Design filing fee	25
1053 530	2003 265	Plant filing fee	130
1054 770	2004 385	Release filing fee	2,520*
1055 160	2005 80	Provisional filing fee	920*
SUBTOTAL (1) (\$)			
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE			
Total Claims	-20** =	x	=
Independent Claims	-3** =	x	=
Multiple Dependent			=
**or number previously paid, if greater. For Reissues, see below			
Large Entity	Small Entity	Fee Description	
Fee Code (\$)	Fee Code (\$)		
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	**Reissue independent claims over original patent	
1205 18	2205 9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)			
* Reduced by Basic Filing Fee Paid			
SUBTOTAL (3) (\$ 730.00)			

SUBMITTED BY

Name / Firm Type	James E. Parsons	Registration No. (Attorney/Agent)	34,691	Telephone	(408) 451-5906
Signature	<i>James E. Parsons</i>			Date	January 21, 2004

PTO/SB/64 (11-03)
Approved for use through 07/31/2006. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**
**Docket Number (Optional)
ULT-001-1**

First named inventor: Donald C. Mann (as corrected)

Application No.: 08/893,271

Art Unit: 2185

Filed: 10/20/2000

Examiner: Not Yet Assigned

Title: "Data Storage Device, Apparatus and Method for Using Same"

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 872-9308

OFFICIAL
**RECEIVED
CENTRAL FAX CENTER
JUN 09 2004**

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-8282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal Disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- Small entity – fee \$ 685.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 C.F.R. § 1.27.
 Other than small entity – fee \$ 1300.00 (37 CFR 1.17(m))

2. Reply and/or fee

- A. The reply and/or fee to the above noted Office action in the form of
Response To Notice To File Missing Parts of Nonprovisional Application (mailed 12/14/2000) (Identify type of reply):
 has been filed previously on _____
 is enclosed herewith.

B. The issue fee of \$ _____

- has been paid previously on _____
 is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

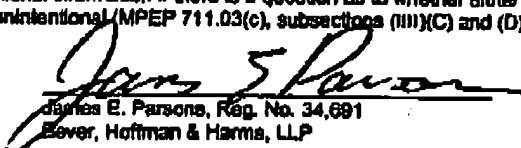
- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
 A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The USPTO may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional. MPEP 711.03(c), subsections (III)(C) and (D)].

Date: January 21, 2004

Customer No. 022888

Enclosures: Fee Payment Response To Missing Parts Reply Terminal Disclaimer Form
 Additional Sheets establishing unintentional delay Other: see Transmittal sheet enclosed


 James E. Parsons, Reg. No. 34,691
 Dover, Hoffman & Hanna, LLP

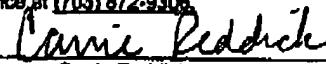
CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(A))

I hereby certify that this correspondence is being:

deposited with the US Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to:
 Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile on the date shown below to the U.S. Patent and Trademark Office at (703) 872-9308.

January 21, 2004
 Date

Signature: 
 Name: Carrie Reddick

06/09/04 10:51 40845 08 → USPTO
12/21/2020 04:35 541-383-1485
- 4084515908 + 541 383 1485
DAN KEHOE

NO. 004 D09
PAGE 02
ND. 016 003

Practitioner's Docket No.: ULT-001-1

PATENT

**POWER OF ATTORNEY BY ASSIGNEE
TO EXCLUSION OF INVENTOR
UNDER 37 C.F.R. § 3.71
WITH REVOCATION OF PRIOR POWERS**

The undersigned ASSIGNEE of the entire interest in:

- U.S. Patent No. _____
 U.S. Application No. 09/693,271, filed on 10/20/2000

hereby appoints the attorneys and agents of:

Bever, Hoffman & Hause, LLP
Customer Number 22888

which attorneys and agents are registered to practice before the United States Patent and Trademark Office, to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

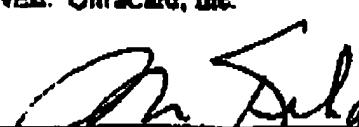
The following evidentiary documents establish a chain of title from the original owner to the Assignee: the Assignment recorded on 10/21/1999 at reel 010617, frame 0290, and a copy of an Assignment attached hereto, which Assignment is herewith forwarded to the Patent and Trademark Office for recording.

Pursuant to 37 C.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

Direct all correspondence and telephone calls to: Customer Number 22888.

ASSIGNEE: UltraCard, Inc.

Name:


Daniel P. Kehoe, President & CEO

Date:

12-23-03

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051001 5580 413436/100

ASSIGNMENT
(Joint Inventors)

Whereas, we, DONALD C. MANN, BERT D. COOK, JR., WILLIAM ZEISSNER and ROBERT L. PARKISON, all citizens of the United States of America, and residents of Thousand Oaks, California, Morgan Hill, California, Fountain Valley, California and Placentia, California, respectively, and whose addresses appear below (hereinafter collectively referred to as "ASSIGNORS"), have invented certain new and useful improvements in DATA STORAGE DEVICE, APPARATUS AND METHOD FOR USING SAME (hereinafter referred to as the "INVENTION") for which an application for United States Letters Patent was

— executed on even date herewith
executed on:

X filed on: October 20, 2000 Serial No.:09/693,271

— established by PCT International Patent Application No.: Filed:

WHEREAS, ULTRACARD, INC., a California corporation, whose post office address is 980 University Avenue, Los Gatos, California 95032 (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the entire right, title and interest in and to the same in the United States and throughout the world;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, we, ASSIGNORS, by these presents do sell, assign and transfer until said ASSIGNEE, the entire right, title and interest in and to the said INVENTION and application throughout the United States of America, including any and all United States Letters Patent granted on any division, continuation, continuation-in-part and reissue of said application; and the entire right, title and interest in and to the said INVENTION throughout the world, including the right to apply for patents and inventor certificates in respect thereof and to claim priority pursuant to rights accorded ASSIGNORS under the terms of the Paris International Convention and all other available international conventions and treaties; and the entire right, title and interest in and to any and all patents, patents of addition, utility models, patents of importation, revalidation patents and inventor certificates which may be granted throughout the world in respect of said INVENTION.

ALSO, ASSIGNORS hereby agree to execute any documents that legally may be required in connection with the filing, prosecution and maintenance of said application or any other patent application(s) or inventor certificate(s) in the United States and in foreign countries for said INVENTION, including additional documents that may be required to affirm the rights of ASSIGNEE in and to said INVENTION, all without further consideration. ASSIGNORS also agree, without further

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consideration and at ASSIGNEE'S expense, to identify and communicate to ASSIGNEE at ASSIGNEE'S request documents and information concerning the INVENTION that are within ASSIGNORS' possession or control, and to provide further assurances and testimony on behalf of ASSIGNEE that lawfully may be required of ASSIGNORS in respect of the prosecution, maintenance and defense of any patent application or patent encompassed within the terms of this instrument. ASSIGNORS' obligations under this instrument shall extend to ASSIGNORS' heirs, executors, administrators and other legal representatives.

ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent referred to above to ASSIGNEE, as the ASSIGNEE of the entire right, title and interest in and to the same, for ASSIGNEE'S sole use and behoof; and for the use and behoof of ASSIGNEE'S legal representatives and successors, to the full end of the term for which such Letters Patent may be granted, as fully and entirely as the same would have been held by ASSIGNORS had this assignment and sale not been made.

IN WITNESS WHEREOF, we have hereunto signed our names on the date and year set forth below.

Assignors

Place of Signing: Campbell, California

Full Name of Assignor: Donald C. Mann

Assignor's Signature: D. C. Mann Date: May 22, 2001

Residence Address: 750 Camino Las Conchas
Thousand Oaks, California 91360

Place of Signing: Campbell, California

Full Name of Assignor: Bert D. Cook, Jr.

Assignor's Signature: B. D. Cook, Jr. Date: May 29, 2001

Residence Address: 1125 Easy Street
Morgan Hill, California 95037

Place of Signing: Fountain Valley, California

Full Name of Assignor: William Zeissner

Assignor's Signature: W. Zeissner Date: May 29, 2001

Residence Address: 8728 Frazer River Circle
Fountain Valley, California 92708

Place of Signing: Placentia, California

Full Name of Assignor: Robert L. Parkison

Assignor's Signature: R. L. Parkison Date: May 29, 2001

Residence Address: 507 Shoshoni Avenue
Placentia, California 92870

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051001 5580 413436/100

STATE OF CALIFORNIA)
)
COUNTY OF SAN JOSE) ss.

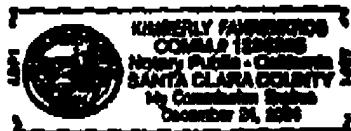
On this 22 day of May, 2001,
before me, Kimberly Fahrenkrog, a
Notary Public in and for said County
and State, personally appeared Donald
C. Mann and Bert D. Cook, Jr.
personally known to me (or proved to
me on the basis of satisfactory
evidence) to be the persons whose
names are subscribed to the within
instrument and acknowledged to me that
they executed the same in their
authorized capacity, and that by their
signature on the instrument the
person, or the entity upon behalf of
which the person acted, executed the
instrument.

WITNESS my hand and official seal.

Signature:

Kimberly Fahrenkrog

FOR NOTARY SEAL OR STAMP



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STATE OF CALIFORNIA)
)
COUNTY OF ORANGE)

On this ___ day of May, 2001,
before me, _____, a
Notary Public in and for said County
and State, personally appeared William
Zeissner and Robert L. Parkinson,
personally known to me (or proved to
me on the basis of satisfactory
evidence) to be the persons whose
names are subscribed to the within
instrument and acknowledged to me that
they executed the same in their
authorized capacity, and that by their
signature on the instrument the
person, or the entity upon behalf of
which the person acted, executed the
instrument.

WITNESS my hand and official seal.

Signature

FOR NOTARY SEAL OR STAMP

263 5580assg